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SUBJECT: Prison Sentences for Two Islamists

¶1. The Vienna criminal court on March 12 sentenced Egyptian-born Mohamed Mahmoud to four years in prison and his wife, Mona S., to 22 months on charges of membership in a terrorist organization and coercion of the government. The couple had produced an internet video threatening the Austrian and German governments with violence unless they withdrew militarily from Afghanistan. The video, signed "Global Islamic Media Front (GIMF)," was posted in the Internet in March 2007. According to the verdict, the GIMF was to be considered the propaganda branch of Al-Qaeda. In internet fora, Mohamed Mahmoud, 22, had also discussed terrorist attacks during the European soccer championship in Austria in June 2008.

¶2. The presiding judge had Mona S., 21, removed from the courtroom since she refused to take off her burqa. The court argued that the jury could not judge her credibility without seeing her face, marking the first time an Austrian court had made such a ruling. In the verdict, the court determined that the sentence for Mona S. should not be suspended - though her only role in the crime was to translate the message into German - because both she and her husband had acted based on strong convictions.

¶3. The verdict was the first ruling based on the offense of "membership in a terrorist organization," which was introduced to the Austrian Criminal Code after 9/11. It was also the first time that a court admitted evidence gained from recently enacted police powers allowing broader authority for internet surveillance. Mohamed Mahmoud's attorney sharply criticized the verdict as based on "illegal online surveillance." The couple asked for time to consider the verdict before deciding on whether to appeal. KILNER